

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

| | | |
|---------------------------|---|-----------------------|
| UNITED STATES OF AMERICA, |) | CASE NO.: 5:17 CR 200 |
| |) | |
| Plaintiff, |) | JUDGE DAN A. POLSTER |
| |) | |
| v. |) | |
| |) | |
| CLIFFORD J. MILLER, |) | INFORMATION OF PRIOR |
| |) | <u>CONVICTION</u> |
| Defendant. |) | |

Now comes the United States of America, by and through its attorneys, Justin E. Herdman, United States Attorney, and Henry F. DeBaggis, Assistant United States Attorney, and pursuant to Title 21, Sections 841(b) and 851, United States Code, hereby gives notice that if an adjudication of guilt is entered against the defendant, CLIFFORD J. MILLER, in Count 1 of the Indictment returned in the above-captioned case, the United States will rely upon the previous “felony drug offense” convictions of CLIFFORD J. MILLER, for the purpose of invoking the increased sentencing provisions of Title 21, Section 841(b)(1)(B), United States Code. The previous “felony drug offense” convictions upon which the United States will rely are:

1. Trafficking in Cocaine, a felony of the 4th degree, on or about October 17, 2003, in Summit County Court of Common Pleas Case Number CR 03 07 2028; and
2. Trafficking in Marijuana, a felony of the 4th degree, on or about March 13, 2008, in Summit County Court of Common Pleas Case Number CR 07 01 0247(A).

The United States alleges that the defendant has been convicted of at least one or more prior “felony drug offenses.” The penalty provisions of Title 21 Section 841(b)(1)(B), United States Code, provides if any person commits such a violation after a prior conviction for a “felony drug offense” has become final, such person shall be sentenced to a term of imprisonment which may not be less than 10 years and not more than life imprisonment, a fine of \$8,000,000 and at least 8 years of supervised release.

Respectfully submitted,

JUSTIN E. HERDMAN
United States Attorney

By: /s/ Henry F. DeBaggins
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CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of December 2017, a copy of the foregoing document was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's system.

/s/ Henry F. DeBaggis

Henry F. DeBaggis
Assistant U.S. Attorney